

**EXHIBIT A**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
**ABSTRACT OF JUDGMENT  
 FOR COMMITMENT TO STATE PRISON**

THE PEOPLE OF THE STATE OF CALIFORNIA  
 PLAINTIFF

VS

PABLO JULIAN AGRIO

DEFENDANT

DATE MAY 5, 1989

CASE NUMBER: CR 95364

PRESENT

TERRY B. O'ROURKE

JUDGE OF THE SUPERIOR COURT

Edwin L. Miller, Jr., District Attorney

By CRAIG ROOTEN

DEPUTY

EDMUNDO ESPINOZA

COUNSEL FOR DEFENDANT

MARIE J. ERVIN

CLERK

JANICE SHULAK

REPORTER

☐ PROBATION HAVING HERETOFORE GRANTED AND SAID PROBATION HAVING BEEN REVOKED ON  
☒ APPLICATION FOR PROBATION IS DENIED. THE DEFENDANT IS DULY ARRAIGNED (WAIVES FORMAL ARRAIGNMENT).

Count No. One

of not guilty

WHEREAS THE SAID DEFENDANT ON HIS PLEA

having

(GUILTY, NOT GUILTY, FORMER CONVICTION OR ACQUITTAL, ONCE IN JEOPARDY, NOT GUILTY BY REASON OF INSANITY)

been convicted by the jury of Murder in the Second Degree

(THE COURT OR JURY)

(DESIGNATION OF CRIME AND DEGREE IF ANY, INCLUDING FACT THAT IT CONSTITUTES A SECOND OR SUBSEQUENT, IF THAT

AFFECTS THE SENTENCE)

IN VIOLATION OF Penal Code Section 187(a)

(REFERENCE TO CODE OR STATUTE, INCLUDING SECTION AND SUBSECTION THEREOF, IF ANY VIOLATED.)

YEAR CRIME COMMITTED IS 88

THE DEFENDANT IS CREDITED FOR TIME SPENT IN CUSTODY, 73 TOTAL DAYS, INCLUDING:

ACTUAL LOCAL TIME 49 PC 4019(b) CREDIT 24, STATE INSTITUTIONS TIME 0.

THE COURT FINDS: ("IF NO FINDING MADE, ENTER "NO FINDING MADE")

\* NO FINDING MADE THE DEFENDANT (WAS OR WAS NOT) ARMED WITH A DEADLY WEAPON AT THE TIME OF HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Sections 969c and 12022 of the Penal Code.

\* THE DEFENDANT DID A FIREARM IN HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Sections 969d and 12022.5 OF THE Penal Code. (USED OR DID NOT USE)

\* NO FINDING MADE THE DEFENDANT (WAS OR WAS NOT) ARMED AT THE TIME OF HIS COMMISSION OF THE OFFENSE WITHIN THE MEANING OF Section 1203 of the Penal Code and that weapon was

THE DEFENDANT HAS HAD PRIOR FELONY CONVICTIONS. FOLLOWS:

COUNTY AND STATE

CRIME

DISPOSITION.

[illegible]

It is therefore ordered, adjudged and decreed that the defendant be punished by imprisonment in the State Prison of the State of California for the term prescribed by law. It is ordered that the sentences shall be served in respect to one another as follows (CC or CS) \_\_\_\_\_

As to PC 12022.5 enhancement, the Court sentences the defendant, PABLO JULIAN AGRIO, to two years (2) consecutive, for a total sentence of 17 years to life.

IN ADDITION OF ~~14591~~ ~~CODE~~ ~~SECTION~~ ~~141(5)~~  
and in respect to any prior incomplete sentence(s) as follows: (CC or CS):

It is further ordered that the defendant be remanded to the Sheriff of the County of San Diego; and pursuant to the aforesaid judgment, this is to command you, the Sheriff to deliver the defendant into the custody of the Director of Corrections of the State of California at the California Institution for Men at Chino, California at your earliest convenience.

The Court (       DIA       ) instruct the defendant of his right to appeal in accordance with Rule 250, California Rules of Court.

I certify the foregoing to be a true and correct abstract of the Judgment made and entered on the minutes of the Superior Court herein.

Dated: MAY 5, 1989  
ROBERT D. ZUMWALT, COUNTY CLERK

By Charles K. Brown Deputy

MARIE J. ERVIN

TERRY B. O'BROURKE

[illegible]

100-443887-100



SDS

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CR 0895364 DA B3478201DATE 05-05-89 09:00 AT 80131857 M

PROB HEAR-SENTENCING

PRESENT: HON. TERRY B. O'Rourke JUDGE PRESIDING DEPARTMENT 026CLERK Marie Ervin REPORTER Janice ShulakTHE PEOPLE OF THE STATE OF CALIFORNIA  
VS

DEPUTY DISTRICT ATTORNEY

AGRIO

PARLO

J

E. ESPINOZA

DEFENDANT

ATTORNEY FOR DEFENDANT (APPT'D/RETAINED)

VIOLATION OF PC187DEFENDANT ☒ PRESENT ☐ ARRAIGNED FOR JUDGMENT ☒ WAIVES ARRAIGNMENT☐ DEFENDANT ADVISED OF RIGHTS AND (ADMITS/DENIES) A VIOLATION OF PROBATION. ☐ WAIVES HEARINGPROBATION IS: ☒ DENIED ☐ REVOKED ☐ REINSTATED ☐ CONTINUED ☐ MODIFIED ☐ GRANTED        YEARS (FORMAL/SUMMARY)☐ IMPOSITION OF SENTENCE IS SUSPENDED. ☐ DEFENDANT SENTENCED TO STATE PRISON, EXECUTION STAYED (SEE BELOW FOR TERM).

CONDITIONS OF PROBATION INCLUDE, BUT ARE NOT LIMITED TO:

☐ COMMITMENT TO SHERIFF FOR        DAYS. ☐ ADULT INSTITUTIONS RECOMMENDED. ☐ PAROLE NOT TO BE GRANTED.☐ FINE OF \$        INCLUDING PENALTY ASSESSMENT AT \$        PER MONTH, COMMENCING        THROUGH REVENUE AND RECOVERY.☐ RESTITUTION OF \$        TO VICTIM/RESTITUTION FUND AT \$        PER MONTH, COMMENCING        THROUGH REVENUE AND RECOVERY.☐ RESTITUTION/FINE OF \$        PER GC 13967, STAYED PER PC 1202.4(b).☐ PARTICIPATION IN COMMUNITY SERVICES PROGRAM IN LIEU OF RESTITUTION.☐ FOURTH AMENDMENT WAIVER OF PERSON/AUTO/RESIDENCE/PERSONAL EFFECTS.☐ REGISTRATION PER PC 290/H&S 11590.

COMMITMENT

☒ DEFENDANT IS COMMITTED TO DEPARTMENT OF CORRECTIONS FOR LOWER/MIDDLE/UPPER TERM OF 15 YEARS.  
(SEE BELOW FOR ADDITIONAL COUNTS)☐ DEFENDANT IS COMMITTED TO CALIFORNIA YOUTH AUTHORITY. ☐ PER W&I 707.2 ☐ PER W&I 1737  
(SEE BELOW FOR FINDINGS)☒ DEFENDANT IS ADVISED OF APPEAL RIGHTS ☐ DEFENDANT IS ADVISED REGARDING PAROLE

CREDIT FOR TIME SERVED

49 DAYS LOCAL       DAYS STATE INST.24 DAYS PC 4019173 TOTAL DAYS CREDIT

CUSTODY

DEFENDANT REMAINS AT LIBERTY:

☐ ON BOND POSTED \$       ☐ ON OWN RECOGNIZANCE☐ ON PROBATION

DEFENDANT REMANDED TO CUSTODY:

☒ WITHOUT BAIL☐ WITH BAIL SET AT \$       ☐ DEFENDANT ORDERED RELEASED FROM CUSTODY TOTAL TERM: 17 YEARS

FUTURES

☐ DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT       CONTINUED TO/SET FOR        AT        M IN DEPT.        ON MOTION OF       

COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON:

☐ DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION PER PC 1203.03. FURTHER HEARING SET FOR        AT        M IN DEPT.       

BONDS

☐ BENCH WARRANT TO ISSUE, BAIL SET AT \$       . SERVICE WITHHELD TO       .☐ BENCH WARRANT, ISSUED        IS RECALLED.☐ BOND FORFEITED. BOND AMOUNT       . BOND NO.       . BOND COMPANY       . AGENT       .☐ BOND IS EXONERATED.

M

☐ PROCEEDINGS SUSPENDED PER: ☐ PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.)☐ W&I 3051 ADDICTION OR DANGER OF ADDICTION. (SEE BELOW FOR DATE OF SERVICE OF PETITION AND ORDER.)OTHER: ☐ REFERRED TO DEPT. OF REVENUE AND RECOVERY ☐ REPORT TO REGISTRAR OF VOTERS ☐ DMV ABSTRACT

Defendants Motion for New Trial is denied by the Court  
 Defendants Motion to Reduce Offense is denied by the Court.  
 Defendants Motion for Bail pending Appeal is denied by  
 the Court. Reporter ordered to prepare transcript of  
 proceedings. Dept advised re computation  
 of credits for time served May 5 1989  
 DATED: May 5 1989 Terry B. O'Rourke  
 JUDGE OF THE SUPERIOR COURT  
 PRONOUNCEMENT OF JUDGMENT - ORDER TERRY B. O'Rourke